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PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF THE MEXICAN AND OTHER WARS.

JANUARY 19, 1880.—Committed to the Committee of the Whole House on the state of
the Union and ordered to be printed.

Mr. COFFROTH, from the Committee on Invalid Pensions, submitted the
following

REPORT:

[To accompany bill H. R. 3257.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3257) entitled "A bill granting a pension to certain soldiers and sailors of the Mexican and other wars therein named," have had the same under consideration, and recommend the passage of said bill.

This bill is substantially the same as that which passed this House unanimously on the 4th day of January, 1877, with the exception of the fifth and sixth sections.

The first section requires the Secretary of the Interior to place on the pension-roll the names of all the surviving officers and enlisted men, including militia and volunteers, of the military and naval services of the United States, who served sixty days in the war with Mexico, or thirty days in the Creek, Florida, or Black Hawk war, and were honorably discharged, and such other officers, soldiers, and sailors as may have been personally named in any resolution of Congress for any specific service in said wars, although their term of service may have been less than sixty days, and who shall subscribe an oath to support the Constitution of the United States, and to the surviving widows of such officers and enlisted men; provided, that such widows have not remarried.

The second section fixes the rate of pension for all grades at \$8 per month, to commence from the passage of the act, and prohibits the drawing of two pensions by any one person.

The third section prescribes the form of procedure by which applicants are to be placed upon the pension-roll, and provides penalties for false and corrupt swearing or fraudulent representations.

The fourth section declares that sections 4745, 4746, 4747, and 4766 of the Revised Statutes of the United States are made a part of this act, so far as the same are applicable.

Those sections of the Revised Statutes prohibit, respectively, the sale or mortgage of any right or interest in the pension that may be granted, and exempt it from levy or attachment under any legal process; provide the punishment for any fraud committed by or on behalf of claimants, and protect the pensioner from exorbitant fees of attorneys.

The fifth section repeals section 4716 of the Revised Statutes of the United States. That section of the Revised Statutes was incorporated therein from the act of January 8, 1862, and the act of June 18, 1864, and is as follows: "No money on account of pension shall be paid to

any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in or aided or abetted the late rebellion against the authority of the United States."

The sixth and last section of the bill declares that its provisions shall not apply to any person while under the political disabilities imposed by the fourteenth amendment of the Constitution of the United States.

The committee have earnestly endeavored to ascertain from official sources and other reliable means of information the number of survivors of the wars named who will be entitled to pensions under this bill. The exact number, of course, is not ascertainable, for it is a rapidly decreasing quantity, owing to the great age of many of the veterans, a large number of whom rendered the services which it is proposed to compensate nearly a half century ago. The committee, however, present the following estimate, which, in their judgment, exceeds rather than falls below the actual number of survivors, but is approximately correct:

The Black Hawk war occurred in 1832, and occupied but a few months. There were not more than 2,500 men actually engaged in that war, including the militia of the State of Illinois. Forty-eight years have elapsed since that war, and the committee are satisfied that the number of survivors, including widows, will not exceed *one hundred and eighty* or two hundred.

The Creek war, located in Alabama and Georgia, commenced in 1835 and ended in 1836. The Florida war began in 1835 and closed in 1842.

The aggregate force enrolled in those two wars did not exceed 32,000. Many of these appear on the rolls three and four times, for the troops were mustered in for three, six, and twelve months, and there were many re-enlistments. The committee estimate the survivors of these two wars, after the lapse of from thirty-eight to forty-five years, as not exceeding 3,000 who will be entitled to pensions under the bill.

There were enrolled in the volunteer forces in the Mexican war 73,532 men of all arms. In the Regular Army, 27,248 of all arms of the service. Making a total enrolled force of 100,780.

Of this aggregate, 36,127 volunteers were furnished by the Northern States, and 37,405 volunteers by the Southern States. Of the Regular Army, 18,320 men were enlisted in the Northern States, and 8,928 men in the Southern States. Total number of regulars and volunteers enlisted in Northern States, 54,447; total number enlisted in the Southern States, 46,333. (See Ex. Doc. No. 24, of the Thirty-first Congress, and Ex. Doc. No. 38, of Thirtieth Congress; Report of Adjutant-General R. Jones.)

In the aggregate of volunteer forces above stated there are included 1,339 three months men, 11,211 six months men, and 27,063 twelve months men, or a total of 39,673 volunteers whose terms of enlistment expired while the war was still in progress and nearly a year before it terminated.

It appears that at least one-third of these short-term volunteers re-enlisted, and hence are duplicated on the rolls to the number of 13,224, and must, therefore, be deducted from the above total of volunteers, as they can only draw but one pension, although counted twice on the muster-rolls. These re-enlistments were notable among the short term troops of Georgia, Texas, Louisiana, Kentucky, Tennessee, Missouri, Illinois, Indiana, Ohio, and Arkansas.

There were also many men enlisted in regiments, who went on to Mexico and were discharged before they had served sixty days, and will therefore not be entitled to a pension. This class number at least 1,500 men. There were also three regiments, organized and mustered in from

the States of Ohio, Missouri, and Alabama, and one company from Iowa, that did not go to the seat of war, and were mustered out of service in less than sixty days from the date of their enlistment, the war being near its termination. These numbered 3,709 men, and, with the 1,500 stated above, aggregate 5,209 who, while they swell the sum total of troops enrolled, will not be entitled to a pension under the bill.

It appears further that there were at least 4,000 soldiers of the Regular Army who re-enlisted, they having entered the service several years prior to the commencement of hostilities with Mexico, and their terms of enlistment expiring while the war was still in progress. The proportion of re-enlistments among regulars is always notably greater than among volunteers. The report of the Adjutant-General, of December 8, 1849, shows that there were killed and died of wounds received in battle in Mexico 1,349 men, and that 10,885 died of disease while there in the service.

The Adjutant-General states therein that his report is incomplete, owing to a number of missing muster-rolls, and the mortality far exceeds the number stated in the report. There were many regiments that lost by battle and disease in Mexico from one-fourth to one-half of their number.

The Palmetto Regiment of South Carolina, commanded by Col. Pierce M. Butler, is shown by the official reports on file in the War Department to have been mustered in with eleven companies, aggregating 1,077 officers and men, and was mustered out with but 369 survivors; a loss of 708 in one regiment. Lieut. Col. J. J. Seymour's Georgia battalion of 400 men lost 184; Colonel Collins's Illinois regiment of 980 men lost between 300 and 400; and Col. W. B. Campbell's First Tennessee Regiment, numbering less than 1,000, lost 217.

When we take into consideration that these troops campaigned for more than two years over a wide theater of operations, embracing many thousand square miles, in the malarial belt of a tropical country, and engaged in many hard-fought battles with forces which outnumbered them generally three to one, and were fully equal to them in military training and equipments, it will appear highly reasonable to estimate their losses in Mexico by the casualties of battle and disease at not less than 16,000.

There were about 500 deserters from the Regular Army, and the report above cited shows that there were 6,725 desertions from the volunteer force in Mexico.

Eleven thousand invalid pensions have been heretofore granted to soldiers of the Mexican war.

All of the foregoing classes must be deducted from the total number enrolled (100,780), to determine the number who would be entitled to a pension under this bill.

The authorized deductions will then be as follows :

First. Men serving less than sixty days.....	5, 20
Second. Re-enlistments.....	17, 224
Third. Deaths in Mexico	16, 000
Fourth. Desertions.....	7, 225
Fifth. Heretofore pensioned	11, 000
These aggregating	56, 658

Subtracted from the aggregate enlistments, leave 44,122 as the number to which the terms of this bill would have been applicable at the close of the Mexican war.

Measuring the chances of life by any reasonable scale of probabilities and applying the knowledge derived from vital statistics to this number of men of their average age when discharged from service, it is not unreasonable to conclude that after the lapse of thirty-two years not more than one-third of their number, or 15,000, now survive, even if they had been subjected to purely normal conditions in the peaceful and ordinary pursuits of life.

But the period that followed close upon the termination of the Mexican war was one of intense activity throughout this country. The veterans of that conflict were among the foremost pioneers in the development of the vast domain acquired by their triumphant arms. Laying down their military equipments when the war was over, they joined and led in a measure, that great multitude of American citizens who traversed pathless and treeless plains for thousands of miles, and, entering upon the Pacific slope, became the builders of States.

It requires no very profound knowledge of the laws that regulate the duration of human life to demonstrate that periods of extreme activity and excitement, when mind and body are strained to their utmost tension, are attended by a very high death-rate. This is the teaching alike of history and of common observation.

Within the sixteen years that followed the close of the war with Mexico the people of the United States achieved more in the material development of the country, and in the general and permanent expansion of all useful industries, than had been effected by them during the two preceding generations. They acted history on a stupendous scale, and achieved beneficent results, that challenged the respect and admiration of mankind.

During the last four years of that period an unexampled civil war was raging, which taxed to their utmost the vast resources of this republic, and embraced within its theater, as contending forces, thirty-six powerful commonwealths. The vast majority of these veterans bore parts of more or less importance in that mighty struggle which involved in its progress the actual operation in the field of armies that aggregated over two millions of soldiers.

These veterans were exposed to all the toils and privations of that four years' war, and to the casualties of its more than one hundred battle-fields.

When we consider these causes that were so potent in the rapid destruction of life, and which baffle all calculations based on vital statistics that are applicable to purely normal conditions of society, and the further fact that thousands of these veterans came out of the Mexican war with the seeds of mortal disease implanted in their constitutions, the committee are satisfied that there are not now living more than 7,000 soldiers of that war who will be entitled to pensions under this bill. The committee are convinced that this is not an underestimate in view of all the circumstances, and especially of the fact that the actual military operations against Mexico commenced in April, 1846, and the first battle was there fought on May 6 of that year, more than a third of a century ago.

There were 5,000 sailors employed in the naval operations against Mexico, of whom 2,700 served less than sixty days within the theater of operations.

Of the remaining 2,300, the committee estimate that there are not more than 600 now living, and, including the widows of this class, they will not add more than 700 to the beneficiaries of the bill. The committee therefore present the following tabulated statement, showing the

number of survivors of all classes who will be entitled to pensions under this bill:

Surviving veterans of Mexican war.....	7,000
Widows.....	900
Sailors and their widows.....	700
Surviving soldiers and widows of Black Hawk war.....	200
Soldiers and widows of Creek and Florida wars.....	3,000
	11,800

From this aggregate must be deducted those soldiers and sailors of the Mexican and Florida wars who escaped injury in those wars, but are now on the pension-rolls for wounds received in the Union Army and Navy during the late war, and hence will be excluded under the terms of the bill. This class number at the lowest estimate 1,200.

Making this deduction from the above aggregate of 11,800, the total number of pensioners of the wars named in this bill will be 10,600, at the very highest estimate, without deducting the probable number of deserters from the naval forces. At \$8 per month, or \$96 per annum, the first appropriation required to meet the estimated expenditure for pensions under the bill will be \$1,017,600. This sum will be diminished at a steadily increasing rate, as these veterans of the old wars of the republic are far advanced on the downward path of life, and may be expected to die off as rapidly as the most economical patriot can desire. The surviving soldiers of those wars will average sixty-two years of age, with the expectancy of twelve years to live.

The committee cite the following well-authenticated facts as illustrative of the rate of mortality among the soldiers of the four wars named, and supporting the above estimate of the number of veterans and widows now living:

An Alabama company was mustered in for service in Mexico with 96 men. Six only of these men were married prior to their discharge from the army, and all six have died. Five of their widows have also died, and one has remarried, leaving not one widow as a beneficiary under the bill.

Of the two Pennsylvania regiments, mustered in with 2,503 officers and men, but 181 survive.

Of the Second Mississippi, 1,035 officers and men, 47 survive.

Of the Palmetto Regiment, 1,077 officers and men, only 34 are now living.

It has been the settled policy of our government for more than one hundred years to grant pensions to its aged veterans. This policy was proclaimed in the act of Congress of May, 1778, which promised half pay for seven years to all commissioned officers who should serve to the close of the revolutionary war. This was extended by the act of 1780 to half-pay for life. By the act of 1818, passed thirty-five years after the close of the war for Independence, Congress granted pensions to officers and enlisted men alike.

The acts of May 15, 1828, and June 7, 1832, were still more liberal to the old soldiers of our revolutionary war.

When the soldiers of the Indian wars named volunteered, upon the call of the government, to defend our early settlements against the incursions of pitiless savages, and when the now shattered veterans of Mexico were sustaining against terrible odds the honor and glory of their country on foreign fields, they might well have expected that their country, which they served so well in their early manhood, would assist them in their needy old age.

Especially should this bill receive the cordial support of all patriotic members of both political parties in Congress, as a slight recognition of the vast material benefits conferred upon our whole country by the skill and valor of our veterans of the Mexican war. Those soldiers fought ten general battles and nearly one hundred severe engagements, and achieved an unbroken series of brilliant victories without the loss of a single regimental standard, crowning their splendid achievements by marching triumphantly, with less than 7,000 men, into the capital of a foreign nation, and there dictating the terms of peace in a walled city of 150,000 inhabitants.

By that conquest the boundaries of Texas were established, and that great State, with its 260,000 square miles of territory, forever assured to the Union. By their arms we secured California, Nevada, Utah, New Mexico, Arizona, Colorado, and Wyoming, an area of 937,875 square miles, and greater than that embraced within the twenty-nine States which then constituted the Federal Union.

According to the reports of the Bureau of Statistics, not less than eleven hundred millions of dollars in gold and silver have been taken from the mines in the Territories thus acquired, which still continue to yield their apparently inexhaustible stores of the precious metals that during the past thirty years have given renewed impulse to every department of American industry. No army of such inferior numerical strength ever secured such vast territory and such imperial wealth for the country that it served.

The objection has been urged that a sufficient time has not elapsed since the veterans of the Mexican war rendered service in the field to warrant Congress in granting them pensions. This objection might have some force if a whole generation had not passed since those services were rendered, and if these veterans could still continue to grow old, and thus live sufficiently long to meet the requirements of this economical system, which would only accord pensions to those who shall evince that they are fully qualified as pensioners by dying soon after pensions have been granted to them.

We are satisfied that the general judgment of the country would not sanction such a national system of *post-mortem* gratitude, which, while it has the virtue of economy, yet excludes every other virtue that should commend it to the approval of Congress.

We think that no valid objection can now be urged against the repeal of section 4716 of the Revised Statutes. By the act of March 9, 1878, that section is no longer applicable to the veterans of the war of 1812, who were thereby granted pensions, and former pensioners of that class restored to the pension-rolls from which they had been stricken, or payment of their pensions refused on account of disloyalty in the war of the rebellion. There appears to be no sound reason, either in justice or public policy, why a disqualification from which pensioners of the war of 1812 have been relieved should be imposed upon pensioners of later wars, who are at least equally meritorious.

In his message of December, 1873, President Grant, who achieved his first military distinction in the war with Mexico, recommended to Congress a full and unconditional pardon and amnesty for all offenses growing out of the rebellion.

That illustrious patriot and Senator, Mr. Charles Sumner, in a resolution offered in the United States Senate on the 22d December, 1872, used the following language:

The national unity and good-will among fellow-citizens can be assured only through an oblivion of past differences, and it is contrary to the usage of civilized nations to perpetuate the memory of civil war.

It was, doubtless, in consonance with this benign spirit of national reconciliation that President Hayes called to his Cabinet a distinguished officer of the late Confederate army, who now worthily serves the country as Postmaster-General of the United States.

At the convention of veterans of the Mexican war, held in the city of Washington January 15, 1874, General R. H. Milroy, of Oregon, a gallant soldier of the Union Army, introduced the following resolution, which, the committee are informed, was unanimously adopted:

Resolved, That the Congress of the United States is most earnestly requested by this association to repeal all laws which prohibit the payment of any pension money to any soldier of the Mexican war, the war of 1812, or other wars, who served in the Confederate army.

(See proceedings of the first national convention of Mexican war veterans, page 29.)

It would be indeed harsh and inexorable justice to enforce against needy, aged, and crippled pensioners of our old wars a policy of proscription for alleged disloyalty which deprives them of the enjoyment of their vested rights, purchased by their blood shed in battle under the flag of the Union, when many other citizens who are obnoxious to the same grave charge occupy to-day high official stations, and are worthily discharging important public trusts in all departments—legislative, executive, and judicial—of the Government of the United States.

The legislatures of the following-named States have, by resolutions, during the past three or four years, appealed to Congress to grant the pension provided for in this bill:

Ohio,	Nevada,	North Carolina,
Pennsylvania,	Kentucky,	South Carolina,
Illinois,	Tennessee,	Louisiana,
Indiana,	Texas,	Mississippi,
California,	Alabama,	Georgia,
Minnesota,	Arkansas,	Florida,
Wisconsin,	Virginia,	Missouri.
Oregon,	Maryland,	

These States aggregate twenty-three in number, and are represented in Congress by 46 Senators and 198 Members of the House of Representatives.

It is proper, in conclusion, to call attention to the fact that under the terms of this bill no person who is at present affected by section 4716 of the Revised Statutes can draw a pension unless relieved of his "legal and political disabilities" by Congress.